O/C

DISTRICT : KAMRUP

IN THE GAUHATI HIGH COURT

(The High Court Of Assam: Nagaland: Meghalaya: Manipur: Tripura: Mizoram & Arunachal Pradesh)

Ann-9/46

(Civil Extra-Ordinary Jurisdiction)

W.P.(C) No. 713 /2008

Bishnupriya Manipuri Sahitya Sabha & Others

-Vs-

.....Petitioners

State of Assam & Ors.

.....Respondents

Synopsis

As per the policy decision of the Government to introduce Bishnupriya Manipuri Language in the primary stage of education ,149 Bishnupriya Manipuri Language Teachers were selected and appointed by the government in the L.P.Schools of Cachar,Karimganj and Hailakandi districts on 2001 with a further decision to regularise them against the vacant posts. But after passing of about two years when the authorities have not taken any initiative, these teachers approached this Hon'ble Court by W.P.(C) No..8253/02 which was disposed on 20.12.02 with a direction to regularise the service of these teachers. Accordingly the Respondents authority started necessary action to regularise their services. But on 2.12.05, the Respondents authority by impugned employment notice advertising for the post of assistant teachers asked the Bishnupriya Manipuri Language Teachers to offer their candidature for the posts. Being aggrieved by the employment notice dated 2.12.2005 ,these teachers approached this Hon'ble Court by W.P.(C) No. No.8546/05 in which due to misrepresentation of the Respondent authority about the status of these teachers,this Hon'ble Court while disposing of the aforesaid writ petition on 29.8.2007, directed the petitioners to offer their candidature in pursuance of the impugned employment notice.Hence this petition for proper appreciation of fact by this Hon'ble court and if necessary to review the order dated 29.8.07.

Filed by

(Rita Devi)

LIST OF DATES

SL.NO.		DATE	PARTICULARS
1.	A' 23	25.5.99	Notification regarding introduction of Bishnupriya Manipuri Language in Primary stage of education.
2.	B 24	2.6.99	Minutes of the meeting held between the government and different organisations of Bishnupriya Manipuri community.
3.	C 28	28.12.99	Minutes of the meeting held between the government and different organisations of Bishnupriya Manipuri community
4.	D 31	8.03.01	Order of the Deputy Secretary, Education department to the concerned D.I to appoint Bishnupriya Manipuri Language Teachers.
5.	E Series 32	29.3.2001	Appointment of Bishnupriya Manipuri Language Teachers.
6.	F 43	20.12.2002	Judgement and order passd by the hon'ble High Court directing regularisation of the services of these teachers.
7.	G 46	6.1.2005	Minutes of meeting held between the Government and the Bishnupriya Manipuri Organisation
8.	H 111	22.9.2005	submission of particulars of Bishnupriya Manipuri language Teachers for their regularisation.

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SL.NO.	DATE	PARTICULARS
9. I/50	2.12.2005	Impugned employment notice - advertising for the post of Assistant teachers.
10. J/53	20.12.2005	Interim order passed in W.P. (C) No.8546/05.
11. K/55	24.2.06	Order of the Director of - elementary education to sub mit finance department format
12. L/57	16.5.06	letter submitted by the D.I of Schools regarding submis sion of finance department for mat.
13. M/58	29.8.2007	Judgement and order passed in WP(c) No. 8546/05.

Filed by

Advocate

DISTRICT : KAMRUP

IN THE GAUHATI HIGH COURT

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Bishnupriya Manipuri Sahitya Sabha & Others

.....Petitioners

-Vs-

State of Assam & Ors.

.....Respondents

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Filed By

(Rita Devi)
Advocate

DISTRICT-KAMRUP

IN THE GAUHATI HIGH COURT

(The High Court Of Assam: Nagaland: Meghalaya: Manipur: Tripura: Mizoram & Arunachal Pradesh)

(Civil Extra-Ordinary Jurisdiction)

W.P.(C) No...../2008

To,

The Hon'ble **Shri Jasti Chelameswar, B.Sc , B.L.,** the Chief Justice of the Hon'ble Gauhati High Court and his Lordships other companion justices of the said Hon'ble Court.

IN THE MATTER OF :

An application Under Article 226 of the Constitution of India for issuance of Writs in the nature of Certiorari and/or Mandamus and/or any other appropriate Writ, order or direction for the protection and enforcement of petitioner's legal and constitutional rights and if necessary by review of the order dated 29.8.2007 passed in W.P.(C) 8546/2005.

AND

IN THE MATTER OF :

Violation of the provisions of Fundamental rights as guaranteed under Articles 14,16,19 ,21 and 39 of the Constitution of India.

Contd.....P/2

-AND-

IN THE MATTER OF :

Illegal action of the Respondents authority in not regularising the service of 149 Bishnupriya Manipuri language teachers who were appointed on 2001 by the state government after due interview and selection by a select committee constituted by the Government, in 149 provincialised L.P.Schools of Cachar, Karimganj and Hailakandi districts in pursuance of the Government's policy decision to introduce Bishnupriya Manipuri Language in the primary stage of education .

-AND-

IN THE MATTER OF :

Decision of the Government as reflected from the minutes of the meeting held on 6.1.2005 to con vert 149 posts of primary school teachers into Bishnupriya Manipuri Language teachers post and to regularise these posts during the process of school teachers recruitment.

-AND-

IN THE MATTER OF :

Impugned employment notice dated 2.12.2005 advertising the posts of assistant teachers including the teachers of Bishnupriya -

Contd.....P/3

Manipuri Language by which the 149 Bishnupriya Manipuri Language teachers also asked to offer their candidature for the posts of assistant teachers instead of regularising their posts as per Government's policy decision .

-AND-

IN THE MATTER OF :

Violation of the principles of Natural justice and Administrative Fair Play.

-AND-

IN THE MATTER OF :

1. Bishnupriya Manipuri Sahitya Sabha, (a society registered under the Society Registration Act, 1860) with its head office at Kathal Road, Zero Point, Silchar, Cachar which is represented by its president Sri Manindra Kumar Sinha , S/o- Late Sena Sinha , Resident of Rajgarh, Guwahati-7.

2. Bishnupriya Manipuri Language Teachers Association , rep resented by its advisor Sri Harikanta Sinha, S/o- Mani sinha , Resident of village- Kalinjor under district - cachar, Assam.

.....*Petitioners*

Contd.....P/4

-Vs-

1. **THE STATE OF ASSAM**
represented by the commissioner and secretary to the Government of Assam, Education Department, Dispur, Guwahati-6.

2. **THE DIRECTOR OF ELEMENTARY EDUCATION,** Assam, Kahilipara, Ghy-19

3. **THE DEPUTY INSPECTOR OF SCHOOLS,** Cachar

4. **THE DEPUTY INSPECTOR OF SCHOOLS,** Karimganj

5. **THE DEPUTY INSPECTOR OF SCHOOLS,** Hailakandi.

.....RESPONDENTS.

The humble petition of the petitioners abovenamed:

MOST RESPECTFULLY SHEWETH:

1. That the petitioners before Your Lordship's are the society registered under the Society Registration Act, 1860. The petitioners associations are represented by their president and advisor respectively who are the citizens of India and as such the petitioners are entitled to all the rights, privileges and protection as guaranteed under the constitution of India and other laws of the land for the time being in force.

Contd.....P/5

Petitioner No.1 is the Bishnupriya Manipuri Sahitya Sabha which was constituted on 1985 with an aim to uplifting the existing economic, educational, linguistic and literary, Religibus, Social and cultural conditions of the community.The Bishnupriya Manipuri Sahitya Sabha with its head office at Kathal Road, Zero point Lane,Silchar, cachar is represented by its president sri Manindra Kumar sinha.

Petitioner No.2 is the Bishnupriya Manipuri Language Teachers Association which has been constituted to protect and safeguard the interest of the Bishnupriya Manipuri Language Teachers working in different L.P schools in three districts of Cachar ,Karimganj and Hailakandi which is represented by its advisor Sri Harikanta Sinha.

2. That for recognition, introduction and implementation of the Bishnupriya Manipuri language in all level of the educational institutions, a major student agitation was started and many students laid their lives for the cause of the language. As an outcome of the students movement and for the promotion of the Bishnupriya Manipuri Language , the Govt. of Assam decided as a special measure , to introduce Bishnupriya Manipuri Language in the primary stage of the education in the districts where population of the Bishnupriya Manipuri community is predominant. In consonance with the Government's decision, the secretary to the Government of Assam, Education department ,by notification under Memo No. A(I)E 154/95/182 -A dated dated 25.5.99 conveyed the approval of the Governor of Assam to the proposal of introduction of Bishnupriya Manipuri Language in the Primary stage of Education in Cachar, Karimganj and Hailakandi districts of Assam.

Contd.....P/6

A copy of the notification dated 25.5.99 is annexed herewith as **ANNEXURE-'A'**

3. That in a meeting with different organisations of the Bishnupriya Manipuri Community held on 2.6.99 by the Govt. of Assam under the chairmanship of the Education Minister , declaration was made by the Government regarding introduction of Bishnupriya Manipuri Language in Primary stage of Education in Cachar, Karimganj and Hailakandi districts of Assam and requested list for jobs to the victim of the students movement.

A copy of the minutes of the meeting dated 2.6.99 is annexed here with at **ANNEXURE-'B'**

4. That in continuation of the process of introduction of Bishnupriya Manipuri Language in Primary Schools of Cachar, Karimganj and Hailakandi, the Government of Assam in a meeting held on 28.12.99 identified schools for introduction of Bishnupriya Manipuri language and also fixed the criteria for selection of teachers to be appointed as Bishnupriya Manipuri Language teacher which, interalia, stated that the candidates should be H.S.L.C. passed with diploma in Bishnu Priya Manipuri Language from Bishnupriya Manipuri Language teachers training centre, Silchar. Further it was stated that the Government would constitute a selection committee who would select candidates for appointment as Bishnupriya Manipuri Language teachers. It was further decided that new posts of Bishnupriya Manipuri Language teachers would be created for which the Director of Elementary Education was directed to submit proposal.

Contd.....P/7

A copy of the minutes of the meeting held on 28.12.99 is annexed herewith as **Annexure-'C'.**

5. That the Deputy Secretary to the Govt. of Assam, Education Department Vide Order No.A(i)E. 154/95/Pt.VIII(3) dated 8.3.2001 directed the Deputy Inspector of Schools, Karimganj, Hailakandi and Cachar to engage the diploma holder candidates of Bishnupriya Manipuri Language to act as Language Teachers.

A copy of the order dated 8.3.2001 is annexed herewith as **Annexure-'D'**

6. That in pursuance of the order dated 8.3.2001, a select committee, duly constituted by the Government, selected 149 Bishnupriya Manipuri language teachers after due interview for appointment in the primary schools of cachar,Karimganj and Hailakandi.On such selection of 149 Bishnupriya Manipuri Language teachers by select committee ,the respective Deputy Inspector of Schools appointed them on 29.3.2001 in different L.P Schools of districts Cachar, Karimganj and Hailakandi. This step was taken by the Govt. in order to fulfil the long pending demand of the community.

Few copies of the appointment letters are annexed herewith as **Annexure-'E' series.**

7. That in pursuance of their appointment, all these 149 teachers joined in their service. It may be mentioned herein that as there was ban in fresh appointment, so the Government taken a

decision to regularise their services against the vacant Posts in due course as all formalities for regular appointments were fulfilled. But after serving about two years without any pay and other service benefits, when these teachers were not absorbed in regular vacant posts in compliance of the Government's policy decision, the members of the Teachers Association approached this Hon'ble High Court Vide W.P.(C) No.8253/02 for regularisation of their services. This Hon'ble Court after hearing the parties was pleased to dispose of the aforesaid Writ Petition by Judgment and Order dated 20.12.2002 with a direction to the respondents authority to consider and examine the petitioners case for regularisation/adjustment as per related notification/circular in this respect, within three months from receipt of the certified copy of the order.

A copy of the Judgement and order dated 20.12.2002 is annexed herewith as **Annexure-'F'**

8. That inspite of the Hon'ble High Court's clear direction to regularise the services of the petitioners, the Respondent authority did not take any action to regularise the services of the petitioners against the posts lying vacant. Being aggrieved by such attitude of the Respondents Authority, the petitioner teachers association filed a contempt Case in the Hon'ble High Court being registered as Contempt Case No.805/03. In connection with the aforesaid Contempt petition, the Respondent Authority informed the Hon'ble High Court by a W.T.Message dated 30.9.03 that the Cases of all eligible teachers would be regularised in phased manner. On such assurance of the Government the aforesaid Contempt Petition was closed by the Hon'ble High Court.

Contd.....P/9

9. That inspite of such assurance of the Govt., the Respondents authority has not taken any initiative to regularise the services of 149 Bishnu Priya Manipuri Language teachers. Even though, in a meeting held on 6th January/2005 with different organisations of Bishnu Priya Manipuri community by the Government to discuss about their demands, it was decided that 149 vacant posts of Primary School teachers would be converted into Bishnupriya Manipuri Language teachers Post and all these 149 teachers would be regularised in these posts during the process of School teachers recruitment. Education department was directed to initiate necessary action in this regard.

A copy of the minutes of the meeting held on 6.1.05 is annexed herewith and marked as **Annexure-'G'**

10. That the Director, Elementary Education, Assam, vide letter No. EIM-10/89/522 dated 22.9.05 submitted to the commissioner and Secretary to the Govt. of Assam, Education department ,the sub-division wise break up of 97 numbers of Bishnupriya Manipuri Language Teachers of Karimganj and Hailakandi districts for regularisation of their services in pursuance of the minutes of the meeting held on 6.1.05.

A Copy of the latter dated 22.9.2005 by the Director of Elementary Education is annexed herewith and Marked as **Annexure- "H"**

11. That as these teachers were expecting their regularisation in pursuance of the Policy decision of the Government, an employ

ment notice dated 2.12.2005 was published by the Respondents Authority for appointment as Assistant teacher including language teachers in different provincialised L.P Schools .In the impugned employment notice, it was specifically stated that those candidates whose regularisation was directed to consider by the Hon'ble High Court at the time of regular appointment, should also have to apply afresh in response to this employment notice which is in total disregard of the Hon'ble High Court's order dated 20.12.02 as well as the Government's decision regarding regularisation of these teachers.

A copy of the Employment Notice dated 2.12.05 is annexed herewith as **Annexure-'I'**

12. That being aggrieved by the aforesaid Employment Notice, the teachers association approached this Hon'ble Court Vide W.P. (C) 8546/05 on which Hon'ble High Court passed an interim order dated 20.12.05 directing the Respondents not to make appointment to the Post of Assistant Teacher of Bisnupriya Manipuri Language without first regularising the service of existing 149 teachers.

A copy of the order dated 20.12.05 is annexed herewith and Marked as **Annexure-'J'**

13. That the Director, Elementary Education by an Order under Memo No.ELM.13/2006/57 dated 24.2.06 directed the D.I. of Schools, Cachar, Karimganj and Hailakandi to submit the Finance Department format for regularisation of services of Bishnupriya

Contd.....P/11

Manipuri Language Teachers with the retrospective date of effect and subject to availability of vacancies and fulfilling the eligibility criteria fixed for appointment of L.P.School Teachers .

A copy of the order dated 24.2.06 is annexed herewith and marked as **Annexure-'K**

14. That accordingly, the respective Deputy Inspector of Schools of Cachar, Karimganj and Hailakandi districts submitted the finance (S.I.U) Department format for regularisation of the services of the Bishnupriya Manipuri Language Teachers.

Copies of the latters by the D.I ,Cachar,Karimganj and Hailakandi are annexed herewith and Marked as **Annexure-"L"**

15. That the Hon'ble High Court on 29.8.2007 while disposing of the W.P.(C) No.8546/05 directed the Respondents authority to consider the case of the petitioners in accordance with law .It was further directed to the members of the petitioner association to respond to the Employment Notice 2.12.2005 with a further direction that in the event of offering the candidature, the Respondents shall consider the same alongwith the policy of the Govt. regarding age relaxation etc. in respect of the Honorary teachers.

A copy of the Order dated 29.8.2007 passed in WP(C) no. 8545/2005 is annexed herewith and marked as **Annexure- "M"**

Contd.....P/12

16. That the petitioners beg to state that in spite of exercise of due deligence, the petitioners in W.P.(C) No. 8546/05 failed to highlight the fact that the petitioners ,149 Bishnupriya Manipuri Language teachers serving in different L.P.Schools of Cachar, Karimganj and Hailakandi districts are not dropped/honorary teachers .Rather they belong to the special category of teachers appointed after due selection by a select committee constituted by the Government as a part of the Government's policy decision to introduce Bishnupriya Manipuri language in the primary stage of education. Due to the failure of the petitioner to apprise the fact properly, the Hon'ble Court on the wrong assumption that the petitioners teachers belong to the honorary teachers ,passed the order dated 29.8.07. It is also surprising to note that while the Government in a number of occasions apprised the Hon'ble court that necessary action for regularisation of these 149 teachers have already been completed, then why in a sudden turn of the stand, the same Respondents told the Hon'ble court that these 149 teachers are only honorary teachers and as such they cannot claim regularisation of their services thereby misleading the Hon'ble court which resulted the passing of the judgement and order dated 29.8.07. Such illegal stand of the Respondents authority make it clear the dual standard of the Respondents authority regarding the regularisation of these 149 humble teachers, duly selected and appointed by the appointing authority .

17. That the petitioners beg to state that as per the Government's policy decision to introduce Bishnupriya Manipuri Language in the primary schools of Cachar, Karimganj and Hailakandi where the population of the Bishnupriya Manipuri is predominant,

Contd P/13

149 Bishnupriya Manipuri Language Teachers were appointed in the provincialised L.P.Schools after due interview and selection by a duly constituted selection committee. These teachers are Diploma Holder in Bishnupriya Manipuri Language from the Bishnupriya Manipuri Teachers Training Institute. This appointment policies do not concern the whole of the state and the schools wherein appointments were made do not require provincialisation. It is specifically for 149 Schools and 149 Teachers and done as per Govt. Policy adopted in 1999. Therefore, they cannot be included in the category of dropped teachers/ honorary teachers as existed in the Schools all over the State of Assam. The Bishnupriya Manipuri Language Teachers are a special category in itself and their case cannot be treated alongwith other dropped/honorary teachers.

17. That the petitioners beg to state that as per the Government's policy decision to impart education to the young children in their mother tongue, these 149 Bishnupriya Manipuri Language teachers were appointed who were not at par with the dropped/honorary teachers existed in other schools of Assam.

It may be mentioned herein that honorary teachers are those who are appointed by the managing committee of the schools whereas dropped teachers are those teachers left out at the time of provincialisation of the Schools. Accordingly, these 149 teachers are neither honorary nor dropped teachers as they were neither appointed by the managing committee of the schools but selected after due interview by a selection committee nor dropped teachers as they were appointed in already provincialised L.P. Schools.

Therefore, their case needs special consideration as per government's policy decision as their status is not at par with honorary/dropped teachers and their regularisation also cannot be considered in this point of view.

19. That the petitioners beg to state that at the time of appointment of these teachers, the Government has declared that as there was ban in fresh appointments, so their services would be regularised against vacant posts of assistant teachers. Further in the minutes of the meeting held on 6.1.05, it was declared by the Government that 149 vacant posts of primary Schools teachers in the districts of Cachar, Karimganj and Hailakandi would be converted into Bishnupriya Manipuri language teachers and all these 149 teachers would be regularised in these posts during the process of School teachers recruitment.

But inspite of all these, the respondents authority by employment notice dated 2.12.05 directed theses teachers also to offer their candidature for fresh appointment knowing fully well that they are already selected by a duly constituted selection committee and have been serving in their respective schools since last seven years waiting for the regularisation of their services. There is a vast contradiction in the act and assurance of the Respondents who said one thing and done another thing which is causing prejudice to the service career of these 149 teachers.

20. That the petitioners beg to state that the Govt. has already initiated necessary action to regularise these 149 teachers in the posts lying vacant converting it into Bishnupriya Manipuri Language Teachers complying with the Hon'ble High Court's direction. In such circumstances, the Respondent Au -

thorities diverting the Hon'ble Court's attention by connecting the case of these teachers along with other honorary teachers has misled the Hon'ble Court which is the result of the order of the Hon'ble High Court dated 29.8.2007 .

21 . That the petitioners beg to state that in pursuance of the assurance of the Respondents authority to regularise their services, these 149 teachers have been serving in their respective schools since last seven years without any pay. Hence ,Respondents authority now cannot resile from their own promise to the prejudice of the service carrier of these 149 teachers and they are estopped from doing so by the application of the doctrine of promissory estoppel.

22. That the petitioners beg to state that the Respondents authority by impugned employment notice dated 2.12.05 illegally and whimsically directed the Bishnupriya Manipuri language Teachers to offer their candidature in response to the impugned employment notice inspite of the fact that this these teachers are regularly appointed by the Government and all the procedure to regularise their services have already been completed .In such circumstances ,there is no cogent reasons of asking these teachers to apply afresh for the posts by the impugned employment notice dated 2.12.05. by Such illegal action, the Respondents authority not only violated the policy decision of the Government ,but also shown utter disrespect to the authority of this Hon'ble Court besides playing with the emotion of the entire Bishnupriya manipuri community.

23. That the petitioners beg to submit that due to the relentless effort of the students in particular and the Bishnupriya Manipuri community in general, the Government introduced the-

Contd P/16

Bishnupriya Manipuri Language in some selected L.P Schools of Cachar, Karimganj and Hailakandi. These 149 teachers were specially selected and appointed by the Government as Bishnupriya Manipuri Language Teachers. But non regularisation of the services of these teachers after passing of about seven years in spite of there having hundreds of posts lying vacant, give rise to serious doubt about the genuineness of the Government's intention regarding introduction and implementation of Bishnupriya Manipuri Language.It is rather look like that the Respondents authority have been playing foul with the future of these humble teachers as well as the students.

24. That the petitioners beg to submit that as per the policy decision of the government, these 149 teachers were appointed and the Respondents authority in time to time has taken steps to regularise the services of these teachers against vacant posts. In no point of time, the Respondents authority stated that these 149 could not claim regularisation being honorary teachers which stand they have taken before the Hon'ble court. Such self contradictory stand of the Respondents authority has left the entire episode of introduction and implementation of Bishnupriya Manipuri language in the primary stage of the education a farce and an eye wash to the whole Bishnupriya Manipuri community.

25. That the petitioners beg to submit that the Respondents authority by misleading the Hon'ble High court trying to avoid their responsibility to regularise the service of the Bishnupriya Manipuri Language teachers for which the petitioners pray for interference of this Hon'ble court for the ends of Justice.

Contd P/17

26. That the petitioners beg to submit that they have already served seven years in various L.P.Schools as Bishnupriya Manipuri Language Teachers without any pay or other allowance expecting their regularisation as per the policy decision of the Government as well as in compliance of the Hon'ble High court's order in this regard. But the Respondents authority illegally and whimsically directing them to offer their candidature in response to the impugned employment notice, has led them to an uncertain future along with their respective families as they are already duly selected and appointed and as per the decision of the government their services need to be regularised at the new recruitment of L.P Schools teachers. Therefore there is no cogent reasons of asking these teachers to apply afresh for the posts by the impugned employment notice dated 2.12.05.as such Such the impugned employment notice dated 2.12.05 is liable to be set aside and quashed .

27. That the petitioners beg to submit that due to misrepresentation of the Respondents authority to the Hon'ble Court about the status of the the Bishnupriya Manipuri Language Teachers ,this Hon'ble court passed the judgement and order dated 29.8.07 which if not review by the Hon'ble Court, will jeopardies the service career of these 149 humble Bishnupriya Manipuri Language teachers and will push them and their family to uncertain future.

28. That the petitioners beg to submit that the Respondents authority by their impugned action have violated the rights of the petitioners as guaranteed under article 14 of the constitution of India.

Contd.....P/18

29. That the petitioners beg to submit that the impugned employment notice dated 2.12.05 is tend to take away the right of the petitioner teachers to employment and as such same is in violation of Article 16 of the Constitution of India requiring the same to be set aside and quashed.

30. That the impugned action of the Respondents have violated the rights of the petitioner teachers as well as their respective families to life and livelihood and as such same is liable to be set aside and quashed being hit by article 21 of the constitution of India.

31. That there is no other alternative and efficacious remedy readily available to the petitioners save and except to file this Writ petition before your Lordships under Article 226 and the relief prayed herein would be just, proper, adequate and comprehensive if granted.

32. That the petitioners demanded Justice which has been denied to them.

33. That this petition is filed bonafide and in the interest of Justice.

In the aforesaid premises, it is therefore, humbly prayed that Your Lordship's would be pleased to admit the petition, call for the records and issue Rule upon the Respondents to show cause as to why a writ in the nature of certiorari shall not be issued quashing and setting aside -

Contd.....P/19

the impugned employment notice dated 2.12.2005 issued by the Director of Elementary education, Assam and why a writ in the nature of Mandamus shall not be issued directing/commanding the Respondents authority to regularise the services of 149 Bishnupriya Manipuri Language Teachers working in the L.P Schools of cachar, karimganj and Hailakandi districts as per the policy decision and promise of the Government with a further direction that without first regularising the services of these 149 L.P schools teachers , no appointment in the posts of Bishnupriya Manipuri Language shall be made and to pay regular scale of pay to them with effect from the date of their joining in service on 2001 as well as the current salary and after cause /causes being shown and upon hearing the parties be pleased to make the Rule absolute and/or pass such order /orders as your lordships may deem fit and proper for the ends of justice and if nec

Contd.....P/21

essary by reviewing /modifying the judgement and order dated 29.8.2007.

-AND-

Pending disposal of the rule, your Lordships may be pleased to stay the impugned employment notice dated 2.12.2005 and /or pass such order(s) as your Lordships may deem fit and proper for the ends of justice.

And for this act of kindness, the petitioners as in duty bound shall ever pray.

.....*AFFIDAVIT*

AFFIDAVIT

I, Sri Manindra Kumar sinha ,aged about 60 years ,S/O- Late Sena Sinha ,Resident of Rajgarh, Guwahati -7, in the District of kamrup, Assam do hereby solemnly affirm and declare as follows:

1. That I am one of the petitioners in the instant writ petition and being fully acquainted with the facts and circumstances of the case and authorised by the other petitioner,I am competent to swear this affidavit.

2. That the Statements made in this writ petition under Paragraphs .1,2,8,10,22.....are true to my knowledge, those made in paragraphs ....3.to.15.....,, are being matters of records which i believe to be true and rest are my humble submissions before this Hon'ble Court.

And I sign this affidavit today on this 25th day of February/ 2008 at Guwahati.

Identified by me

Advocate's Clerk

DEPONENT

ANNEXURE -"A"

GOVERNMENT OF ASSAM
EDUCATION(ELEMENTARY) DEPARTMENT.

ORDERS BY THE GOVERNOR OF ASSAM

NOTIFICATION

Dated Dispur, the 25th May,99.

NO.A(I)E 154/95/182 : The Governor of Assam is pleased to approve the proposal of introduction of Bishnupriya Manipuri Language in the Primary stage of Education in Cachar, Karimganj and Hailakandi Districts of Assam.

Sd/-D.C.Barman,
Secretary to the Govt.of Assam,
Education Department.

Memo No.A(I)E 154/95/182-A, Dated Dispur, the 25th May,99.

Copy to :-

1. The P.P.S. to Hon'ble Chief Minister, Assam, Dispur.
2. The P.S. to Hon'ble Minister, Education, Assam.
3. Staff Officer to the Chief Secretary, Assam.
4. The Principal Secretary, Education Department, Dispur.
5. The Secretary to the Govt. of Assam, Political(B) Deptt., Dispur.
6. The Director of Elementary Education, Assam, Guwahati-19. He is requested to take all possible steps for implementation of the language.
7. The Director of Secondary Education, Assam, Guwahati-19.
8. The Director of SCERT, Assam, R.G.Baruah Road, Guwahati-19.
9. The Managing Director, Assam Textbook Production & Pub lication Corporation Ltd.,Guwahati-1.
10. The Secretary, Board of Secondary Education, Assam, Guwahati-21.
11. The Superintendent of Assam Govt. Press, Bamunimadan, Guwahati-21 with a request to publish the notification in the next issue of the Gazette.
12. Office copy.

By order etc.
Sd/-illegible
Under Secretary the Govt. of Assam,
Education Department.

Annexure--'B'

MINUTES OF THE MEETING HELD ON 2-6-99 AT JANATA BHAWAN AUDITORIUM WITH DIFFERENT ORGANISATIONS OF BISHNUPRIYA MANIPURI COMMUNITY.

Members present : At Annexure-A.
A meeting was held today, on 2-6-99 with representative of:

1. Nikhil Bishnupriya Manipuri Student Union
2. Bishnurpriya Manipuri Gana Sangram Parishad.
3. Bishnupriya Manipuri Sahitya Sabha
4. Bishnupriya Manipuri Samaj Sanstha
5. Bishnupriya Manipuri women organisation
6. Bishnupriya Manipuri textbook committee
7. Bishnupriya Manipuri Ex-Servicemen organisation
8. Advisors of the Organisations

and the Govt. with Shri Thaneswar Boro, Education Minister in the Chair.

(1) Initiating the discussion, the Hon'ble Minister Education formally declared Govt's decision to introduce Bishnupriya Manipuri Language in Primary stage of Education in Cachar, Karimganj and Hailakandi Districts of Assam. The Hon'ble Minister, Education explained the reason for delay in taking decision on their demand.

Briefing the background since 1977, the Hon'ble Minister said that the language was recognised by the Govt. earlier and a few schools were selected for the purpose. But it could not be implemented due to unavoidable reasons. The Tripura Govt. also took similar decision but further advancement could not be made. The Govt.of Manipur have been raising objection to the Govt. of Assam and Govt. of India on the issue.

(2) Shri D.C.Barman, Secretary, Education Department welcomed the members of the different organisations of Bishnupriya Manipuri community invited for the discussion.

Contd.....P/2

(3) The Hon'ble Minister, Education further added that the Hon'ble High Court had not clearly stated about the nomenclature of the language but the community has been regarded as OBC at a different serial number in the list of OBC to that of Maitai Manipuri. Now, the Govt. of India had asked clarification from the Govt. of Assam and the Govt. of Tripura. He put stress on cordial relation between the two communities as well as with the neighbouring states.

He further stated that Hon'ble Chief Minister of Assam would hold a discussion with both the communities as soon as possible and requested all to co-operate in the discussion. He also reminded the responsibilities of the Sahitya Sabha and Textbook Production Committee and to co-operate with the Govt.

(4) Prof. A.P.Sinha, Dr.A.K.Sinha, Prof.Birendra Sinha, Sri S.Sinha from different organisations of Bishnupriya Manipuri Community in their speech hailed the Govt. for their decision and expressed their gratitude to the Govt. They further said that the Bishnupriya Manipuri Community would remain ever thankful to the Govt. led by AGP. They also suggested their views about the future shape of textbooks and scripts.

During the course of discussion, they submitted a draft Memorandum of Settlement prepared by them to the Hon'ble Minister, Education, declaring the Govt. decision as Historical event.

(5) Reciprocating the same, the Hon'ble Minister, Education said that a formal notification on the govt. decision had already been issued ,so discussion could be held on the items mentioned in their draft MoS in due course.However, he gave some clarification on a few items of their draft MoS.In regard to item No.5(a), he said that decision had already been taken & notified and for item No.5(c), he requested them to keep liasion with SCERT for better quality and correct approach.

Contd P/3

(3)

On item No.7, it was said that the matter might be considered as per Govt. existing policy as was done in case of other similar categories.

As regards item No.8, the Hon'ble Minister, Education said that steps could be taken as was done in case of other members of OBC. Formal instruction would be issued as per the verdict of the Hon'ble High Court in regards to their status as OBC. He requested them to submit list for job to the victims of the agitation's for consideration.

The Hon'ble Minister, Education asked the Deptt. to issue the copy of the Govt. notification to the Presidents of both the organisations formally.

(6) Sri C.M.Patowary, Hon'ble Minister, Agriculture, Hon'ble Minister Education said that as the basic issue/demand had already been accepted by the Govt. they need not insist on MoS in the discussion. He further said that they would convey the feelings of Bishnupriya Manipuri to Hon'ble Chief Minister.

(7) Sri Hitendra Nath Goswami, Hon'ble Minister, Power etc., Sri J.P.Rajkhowa, IAS, Principal Secretary, Education Department and Dr. B.K.Gohain, IAS, Secretary, Personnel etc. Assam also spoke in the discussion with their suggestions.

The discussion ended with vote of thanks from the chair.

Sd/-illegible
2/6/99
(D.C.Barman)
Secretary to the Govt. of Assam.
Education(Elementary) Department.

Contd.....P/4

(4)

Memo No.A(I)E 154/95/185-197 **Dtd.2-06-99**

Copy for information and necessary action to :-

1. P.P.S. to Hon'ble Chief Minister, Assam for kind apprisal of the Hon'ble Chief Minister.
2. P.S. to Minister, Education, Assam.
3. P.S. to Minister, Agriculture, Assam for apprisal of the respective Hon'ble Minister.
4. P.S. to Minister, Power etc., Assam.
5. The Principal Secretary, Education Department.
6. The Secretary, Personnel Department.
7. The Secretary, Finance Department.
8. The Director, Elementary Education, Assam.
9. The Director, SCERT, Assam.
10. The M.D., Textbook Production & Publication corporation Ltd., Assam.
11. All President/Secretaries of the different organisations of Bishnupriya Manipuri Community attended the discussion.
12. Office file.

By order etc.
Sd/-illegible
2/6/99
Under Secretary.
Education Department.
Dispur,Assam.

Annexure--'C'

MINUTES OF THE MEETING HELD ON 28-12-99 AT 11 A.M. IN THE SECRETARY'S CHAMBER ON IMPLEMENTATION OF BISHNUPRIYA MANIPURI LANGUAGE IN PRIMARY SCHOOL OF CACHAR, KARIMGANJ AND HAILAKANDI.

Agenda for Discussion :-

1. Selection & approval of the L.P.School,
2. Preparation of text book and printing,
3. Required qualification for selection of teachers to be appointed,
4. appointment process,
5. Miscellaneous.

The name of members present in the meeting are annexed in Annexure-'A'.

At the direction of the Hon'ble Minister of Education the Secretary, Education is taking the discussion on implementation of Bisnupriya Manipuri Language today on 28-12-99 at 11 A.M. in the Chamber of Secretary, Education.

The Secretary, Education welcomed the representatives of the Advisory Board for implementation of Bishnu Priya Manipuri Language in Assam.

After detailed discussion, the following decisions were taken :-

1. At the outset Secretary raised the question if there is any objection about the list of L.P.Schools numbering 102 submitted by D.I.of Schools, Cachar, Karimganj and Hailakandi which is available with the Govt. In reply, the Board have said that there is no objection.

Necessary notification approving the School will be issued after due process and scrutiny.

2. Regarding the preparation of text books for Class-I, the Advisory Board is said to have already submitted Text Books for Class-I to the Director, SCERT, Text Books are in Bengali Script.

Contd....P/2

For detailed scrutiny of the Text Books Secretary has suggested for help from some experts of Bishnupriya Manipuri Language to Co-operate for the process of finalising and printing works of the Text Book.

Accordingly, the Advisory Board suggested the following names :-

1. Dr. Kali Prasad Sinha, Assam University, Silchar.
2. Shri Santi Sinha, Pub-Sarania, Guwahati-3.
3. Shri Manikanta Sinha, Chenkuri Bagan High School, Silchar-7.
4. Smti Kumkum Sinha, Tarun Nagar, Guwahati-5.
5. Shri Shyamananda Sinha, Nehru High School, Singari, Silchar-7.

Secretary told that the scrutiny of taxt Books will begin within 12th January, 2000. The exact date will be intimated later on.

In the course of discussion Secretary has let them know that free supply of text book has since been stopped from 2000 AD.

On the point of printing of text book, Secretary said that because of huge liabilities with Hindustan Paper Corporation Govt. is not in a position to take the burden of printing of text books during the year. In this connection Secretary has sought the Co-operation of the Advisory Board.

At this Advisory Board agreed to the Printing of text books in receipt of formal approval of the manuscript and other necessary instruction. Secretary, Education made it clear that Govt. is not in a position to shoulder any financial burden in connection with the printing of the said text books.

3. Regarding qualification for selection of teachers to be appointed the existing norms of H.S.L.C. with Diploma in Bishnupriya Manipuri Language from Bishnupriya Manipuri Language Teachers Training Centre, Silchar will be considered. Preference will be given to the meritorious H.S.L.C. Passed candidates. Secretary has also mentioned that the qualification should be raised from H.S.L.C. & H.S.gradually.

Contd....P/3

4. For selection of candidates to be appointed as Bishnupriya Manipuri Language teacher Govt. will constituted a selection committee as suggested by Director of Elementary Education, Assam.

There are as many as 102 nos. of L.P.School in Cachar. Karimganj and Hailakandi districts, where creation of posts of Bishnupriya Manipuri Language teachers is raised. At this, Secretary has said that steps will be taken at Govt. level for creation of posts after examining the proposal to be submitted by Director of Elementary Education, Assam.

Regarding recognisation of Bishnupriya Manipuri Language Teachers Training Centre Secretary informed that the matter may be taken up with the Assam University, Silchar or Gauhati University. However, permission may be accorded to run the training Centre without any Govt. financial liability.

For publication of "Assam Che" news paper in Bisnupriya Manipuri Language through DIPR, Secretary has said that the matter will be taken up with the Home Department.

The meeting ended with vote of thanks from the chair.

Sd/-illegible
Secretary to the Govt. of Assam.
Education Department.

Contd.....P/4

Annexure -"D"

GOVERNMENT OF ASSAM
EDUCATION(ELEMENTARY) DEPARTMENT.

NO.A(I) E.154/95/Pt.VIII/31 **Dated Dispur, the 8th March'01.**

To

The Deputy Inspector of Schools,
Karimganj/Hailakandi and Cachar.

Sub : Engagement of Diploma holder candidates in Bishnupriya Manipuri Language.

Sir,

In enclosing herewith a copy of letter No.ML.76/2001 dt.2.3.2001 received from Hon'ble Minister of Education, Assam which is self explanatory, I am directed to request you to engage the Diploma holder candidates in Bishnupriya Manipuri Language to act as honorary Language teachers as per list enclosed immediately. The engagement is without pay and will not create any right for permanent absorption in scale pay in due course.

Encl:-As above

Yours faithfully,
Sd/-illegible
8/3/01
Deputy Secy. to the Govt. of Assam.
Education Department.

Memo No.A(I)E.154/95/Pt-VIII/31(a) **Dated Dispur, the 8th March/2001.**

Copy to :-

1. P.S.to Hon'ble Minister of Education for information.
2. The Director, Elementary Education Assam for information.
3. O/C.

By order etc.,
Sd/-illegible
Deputy Secy. to the Govt. of Assam.
Education, Department.

ANNEXURE-E

GOVT. OF ASSAM

OFFICE OF THE DEPUTY INSPECTOR OF SCHOOLS, HAILAKANDI

ORDER

In pursuance of Govt.letter NO.A(I) E.154/95/Pt.VIII/31 dtd.27.3.2001 the following Diploma Holders candidates in Bishnupriya Manipuri Language are hereby allowed to work an honorary Language Teacher in the respective Schools as mentioned against each of their names with immediate effect.

This engagement is without pay and will not create any right for permanent absorption.

S.L.NO	NAME OF CANDIDATE WITH ADDRESS	NAME OF SCHOOLS	HOME OF BLOCK
1.	Smti. Dipika Singh Vill-Chiparsangan	17.Chiparsangan L.P.School.	Hailakandi
2.	Shri Rajendra Sinha Vill-Nabasantipur	326,Podispunji L.P.	--do--
3.	Gauranga Sinha Vill-Chiparsangan	175 Dalidshar L.P. School.	--do--
4.	Joyprakash Sinha Vill-Chiparsangan	Pahertali L.P. School	--do--
5.	Bhanu Lakha Sinha Vill-Kalinagar	38, East, Kalinagar School,	--do--
6.	Govinda Sinha Vill-Nabasantipur	Gokul Chand L.P. School.	--do-
7.	Jyosthna Sinha Vill-Nabasantipur	Nayagram L.P.School	--do--
8.	Biren Sinha Vill-Nityanandapur	Vevekananda L.P. School.	--do--

Sd/-illegible
Deputy Inspector of Schools,
Hailakandi.

Contd.....P/2

(2)

Memo No.DIH/43-A/2001/1055-63 Dated, HKD, the 29/3/01/

Copy forwarded for favour of information and necessary action to :

1. The commissioner & Secretary to the Government of Assam, Edn. Deptt., Dispur, Guwahati-6.
2. The Director of Elementary Education, Assam, Kahilipara, Guwahati-19.
3. The District Edn.Officer, Hailakandi.
4. The Block Ele.End. Officer, Hailakandi/Lala/Katlichera.
5. The S.I. of Schools, concenrned.
6. The Head Teachers concerned.
7. The persons concerned.
8. The Secy, B.M.L.T.T.Centre, Silchar.

Sd/-illegible
Deputy Inspector of Schools.
Hailakandi.

ANNEXURE- "E" Series

GOVT. OF ASSAM
OFFICE OF THE DEPUTY INSPECTOR OF SCHOOLS, SILCHAR.

ORDER

In pursuance of Govt.letter NO.A(I) E.154/90/Pt.VIII/31 dtd.8-3-2001 and No.A(I)E.154/25/Pt.VIII/36 dtd.16.3.2001 the Diploma holder Candidate Smti Neela Sinha and 54 others are hereby engaged without any honorarium as Bishnu Priya Monipuri Language Teachers, in the respective Schools as per enclosed list mentioned block wise against their ~~under~~ named with immediate effect.

Sd/-illegible
Deputy Inspector of Schools.
Silchar.

Memo No.639-700 **Dt.26/6/01**

Copy forwarded for favour of information and necessary action to :

1. The Commissioner & Secy to the Govt. of Assam, Edn. Deptt. Dispur, Guwahati-6.
2. The Director of Elementary Education, Assam, Kahilipara, Guwahati-19.
3. The District Edn.Officer, Cachar, Silchar.
4. The Block Ele.End. Officer concerned
5. The head Teacher concerned.
6. The Teacher concerned.
7. The Secy. Bisnupriya Monipuri Language Teaching Training Centre Silchar.
8. Office file.

Sd/-illegible
Deputy Inspector of Schools.
Silchar.

ANNEXURE-

LIST OF DIPLOMA HOLDER CANDIDATES SHOWED AS HONORARY TEACHER IN BISNUPRIYA MANIPURI LANGUAGE SHWON AGAINST EACH SCHOOL UNDER CACHAR DISTRICT.

Katigorah Block :-

S.L.	Name of the candidate	Name of the School	Qualification
1.	Neela Bati Sinha C/o-Nani Sinha Vill & P.O. Dudpur.	45 Dudpur L.P.School	H.S.L.C.
2.	Shri Dhirendra Sinha Vill & P.O.-Dudpur.	1303 Dudpur L.P.School	H.S.L.C.
3.	Purnasena Sinha D/o-Baba Sena Sinha Vill & P.O.-Burunga.	35 Burunga L.P.	H.S.L.C.
4.	Surojit Sinha S/o-Susil Ch. Sinha Vill & P.O. Tikar Buronga.	519 Tikar Burunga L.P.	H.S.L.C.
5.	Anita Sinha D/o-Krishna Kanta Sinha Vill & P.O.-Dilburunga	589 Kanaigool L.P.	H.S.L.C.
6.	Prabat Ch. Sinha S/o-Dhirendra Kr. Sinha Vill & P.O.-Bihara Pt.-IV.	1517 South Bihara L.P.	H.S.L.C.
7.	Bidyabinod Mishra S/o- Benu Mishra Vill & P.O.-Bihira Pt.-IV.	363 Bihara L.P.	H.S.L.C.
8.	Shyam Sundar Sinha S/o- Shayama Nanda Sinha. Vill & P.O.-Mohanpur.	508 Mohanpur B.Sinha L.P.	H.S.L.C.

Contd.....P/2

S.L.	Name of the candidate	Name of the School	Qualification
9.	Priya Kanta Sinha S/o-Lakhi Kanta Sinha Vill & P.O.-Bhubaneswar Nagar.	20 Bhubaneswar Nagar L.P.School.	H.S.
10.	Basudev Sinha S/o-Bomshidar Sinha Vill & P.O.-Bhubaneswar Nagar	1865 Gour Chand L.P.	H.S.L.C.
11.	Kritisundar Sinha Vill- Chayaran P.O.-Bihara Bazar	815 Jagannath Dey L.P.	H.S.L.C.
12.	Mrinal Kanti Sinha,	298 Lakhipur Jr. Basic L.P.	H.S.
13.	Subash Sinha Vill-Lakhipur, P.O.Kalaian.	812 Manipur L.P.	H.S.L.C.
14.	Dhaneswar Sinha S/o-Moni Sinha Vill & P.O.-Bihara Bazar.	1555 Chankin Dudpur L.P.	H.S.L.C.
15.	Falguni Sinha Vill- Lakhipur P.O.-Kalain.	1430 Sarhamongle L.P.	H.S.L.C.
(B) SALCHAPPA BLOCK :-			
1.	Sudhir Sinha Vill-Dakirpar	555 Hatighar L.P.	H.S.L.C.
2.	Amar Kr. Sharma S/o-Lt. Nilmoni Sharma Vill-Alagapur. P.O.-Rajnagar.	Chanadramukhi L.P.	H.S.L.C.

(3)

S.L.	Name of the candidate	Name of the School	Qualification
3.	Bipra Sinha Vill-Shankar Basti P.O.-Nutan Kanchanpur.	453 Mechadahar L.P.	H.S.L.C.
4.	Sachindra Sinha Vill-Gandhinagar, P.O.-Dakhirpar.	Surikhalorpar M.V. School.	H.S.L.C.
5.	Pranab Kr. Sinha S/o-Pranabanta Sinha Vill-Sredharpur. P.O.-Bekirpar.	705 Sridharpur L.P.	H.S.L.C.
6.	Kajal sinha Vill- Gandhinagar, P.O.-Bekirpar.	Sredharpur M.V.	H.S.L.C.
7.	Samir Sinha Vill-Kalinjor, P.O.-Sinori.	76 Ghagrapur L.P.	H.S.L.C.
8.	Rabi Kanta Sinha Vill & P.O.Dudpur.	944 Paypara L.P.	H.S.L.C.
9.	Sukhomoy Sinha Vill-Brabak P.O.Salchapra.	1623 Borabak L.P.	H.S.L.C.
10.	Akshoy Kr. Sinha Vill-Nandigram, P.O.-Salchapra.	497 Nandi Gram L.P.	H.S.L.C.
11.	Jitendra Sinha Vill-Naya-Gram P.O.-Singhari.	1101 Merun Grant L.P.	H.S.L.C.
12.	Nahar Ranjan Sinha Vill-Algapur,	52 Algapur L.P.	H.S.L.C.

Contd.... P/4

(4)

S.L.	Name of the candidates	Name of the Schools	Qualification
13.	Sd/-illegible Vill & P.O.-Masimpur.	235 Masimpur Boys L.P.	H.S.L.C.
14.	Bhavani Das Sinha Vill & P.O.-Masughat.	765 Ardbalika L.P.	H.S.L.C.
(C)	UDHARBOND BLOCK :-		
1.	Shyamal Sinha Vill & P.O. Dudpatil,	1099 Dhumkar L.P.	H.S.L.C.
2.	Smt. Mrinalini Sinha, Vill & P.O.-Masughat	61 Masughat L.P.	H.S.L.C.
(D)	NAPSINGPUR BLOCK :-		
1.	Suchitra Sinha Vill-Santipur, P.O.-Bekirpar.	487 Bekirpar L.P.	H.S.L.C.
2.	Smt. Monisha Sinha Vill-Pakaipar, P.O.-Bekirpar.	1449 Pratush Smriti L.P.	H.S.L.C.
3.	Rajendra Sinha Vill-Gandhinagar, P.O.-Bekirpar.	145 Bekirpar L.P.	H.S.L.C.
4.	Ranjit Sinha Vill & P.O. Dulalgram	154 Rakhal Tilla L.P.	H.S.L.C.
5.	S.Sinha Vill & P.O. Katakhal	150 Penibora L.P.	H.S.L.C.
6.	Upen Kr. Sinha Vill-Pakaipar, P.O.-	141 Ramcharan L.P. Kabuganj.	H.S.L.C.
7.	Sd/-illegible	215 Dulal Roy L.P.	H.S.L.C.

- 40 -
- 39 -

S.L.	Name of the candidates	Name of the Schools	Qualification
(E)	SONAI BLOCK :		
1.	Sabita Sharma Vill-East Dharam P.O.-Singari.	87 Suna Manik L.P.	H.S.L.C.
2.	Sd/-illegible Vill-Kalinjor P.O.-Singari.	424 Kalinjor L.P.	H.S.L.C.
3.	Surajit Sinha Vill- West Dharam, P.O.-Cheencoorie.	790 Pachim Kachudoram	H.S.L.C.
4.	Gautam Sinha Vill-East Singari, P.O.-Bhagatpur.	841 Indragarh L.P.	H.S.L.C.
5.	Bishanat Sinha Vill & P.O.-Kalinjor.	1005 Chencoorie L.P.	H.S.L.C.
6.	Rajesh Sinha Vill & P.O.-Chencoorie,	1112 Chencoorie L.P.	H.S.L.C.
7.	Subodh Sinha Vill & P.O.-Singari	68 Singari L.P.	H.S.L.C.
8.	Bhupendra Sinha Vill-Mayagram, P.O.Singari.	1243 Mayagram L.P.	H.S.L.C.
9.	Manash Kr. Sinha Vill & P.O.Bhakatpur,	381 Raghab Singh L.P.	H.S.L.C.
10.	Ranjana Sharma Vill- Rengti, P.O.-Jaiforpur	91 Rangti L.P.	H.S.L.C.

Contd.....P/6

S.L.	Name of the candidates	Name of the Schools	Qualifications
11.	Motilal Sinha Vill-Kabigram, P.O.-Singari.	919 Kabigram L.P.	H.S.L.C.
12.	Hirendra Sinha Vill-East Singari, P.O.-Bhakatpur.	997 East Singari L.P.	H.S.L.C.
13.	Ranendra Sinha Vill-Chandrapur P.O.-Bhakatpur.	1028 6th L.P. Bn.L.P.	H.S.L.C.
14.	Gopinath Sinha Vill & P.O. Singari	664 Kukubari L.P.	H.S.L.C.
(F) SADAR :			
1.	Momita Raj Kumari Ashram Road, Sil-7.	585 Tikar Basti Jr. Basic L.P.	H.S.L.C.
2.	Jagneswar Sinha Vill-Singari, P.O.-Bhakatpur.	Durga Shankar Pathasala	H.S.L.C.
3.	Satali Sinha Police Reserve Family. Line, Silchar.	Sd/-illegible	H.S.L.C.

Verified.

Sd/-illegible
17/3
Deputy Inspector of Schools.

ANNEXURE-

GOVT. OF ASSAM
OFFICE OF THE BLOCK ELE. EDN.OFFICER, PATHARKANDI.

ORDER

In pursuance of Govt.letter NO.A(I) E.154/95/Pt.VIII/31 dtd.8-3-2001 and authority conveyed by the Deputy Inspector of Schools, Karimganj vide his Memo No.DIK/2000-01/1362-66 dtd 27.03.2001 the following Diploma holdered candidate in Bishnu Priya Manipuri Language are hereby engaged to act as honarary Bishnupriya Manipuri Language Teachers in the respective Schools as whom against each with immediate effect.

This angagement is without pay and will not create any right for permanent obsorption.

S.L.NO.	NAME OF CANDIDATE WITH FULL ADDRESS	NAME OF SCHOOLS	GENERAL QUALIFICATION
1	2	3	4
1.	Rathin Sinha Vill-Tinokhal	41 Gokila L.P.School	HSLC
2.	Dhrupapada Sinha Vill-Gokila	973 Narasundar L.P.	HS
3.	Roma Sinha Vill-Tinokhal	1164 Dakhin Tinokhal L.P.	HSLC
4.	Shyambabu Sinha Vill-Kachubari	401 Kachubari L.P.	HSLC
5.	Prabhabati Sinha Vill-Baithakhol	100 Batabari L.P.	Proveshika
6.	Borola Sinha Vill-Bhurunga	265 Bhuranga L.P.	HSLC
7.	Shibani Sinha Vill-Satragram	852 Saipergaon L.P.	HSLC

Contd.....P/2

(2)

S.L.NO.	NAME OF CANDIDATE WITH FULL ADDRESS	NAME OF SCHOOLS	GENERAL QUALIFICATION
1	2	3	4
8.	Moniraj Sinha Vill-Kachubari	968 Pachim Dewali L.P.	HS
9.	Deopali Sinha Vill-Katabari	074 Amatul L.P.	HSLC
10.	Shyambabu Sinha Vill-Naithokhal	632 Parugaon L.P.	HSLC
11.	Monika Sinha Vill-Bilbari	848 Cungabari L.P.	HSLC
12.	Jalkumari Sharma Vill-Montrigram	38 Bilpari L.P.	HSLC
13.	Swapna Sinha Vill-Uttar Dilbari	247 Bilpari L.P.	HSLC
14.	Arati Sinha Vill-Montrigram	1170 Montrigram L.P.	HSLC

Sd/-illegible

ANNEXURE--" F "

IN THE GAUHATI HIGH COURT

(The High Court Of Assam: Nagaland: Meghalaya: Manipur: Tripura: Mizoram & Arunachal Pradesh)

CIVIL APPELLATE SIDE

W.P.(C.) NO.8253 of 2002

Sri Harikanta Sinha,

.....**Petitioner.**

-Versus-

State of Assam & Ors.

.....**Respondents.**

For petitioner : Mr. N.C.Das.
: Miss. D.Sinha.

For Respondents : G.A.Assam.

W.P.(C) No.8546/02

BEFORE

THE HON'BLE MR.JUSTICE N.S.SINGH.

20.12.2002

Heard Ms.D.Sinha, learned Counsel for the petitioner's association and also heard Mr. H.K.Mahanta learned State Counsel appearing for the State respondents. For a common cause of the members of the petitioner's association as highlighted in the document marked as Annexure-1, 1(A) and 1(B) the petitioner herein sought for a direction to the respondents authority to regularise their services by contending inter-alia, that in terms of

Contd.....P/2

the related Govt. notification dated 21.6.2000 (Annexure-3 to the Writ petition) the respondents authority ought to have considered the case of the members of the petitioner's association but the authority concerned have failed to consider the matter rather they have failed to perform their lawful duties in terms of the concern notification dated 21St June, 2000.

Supporting the case of the petitioners Ms.D.Sinha learned counsel contended that this court had already disposed of similarly situated cases particularly the Case No.7378/2002 and that being the position the same benefit as given by this Court to those Writ petitioners in W.P.(C)7378/2002 shall also be given to the members of the present Writ petitioner's association and the present Case is also cover up by the related order dated 26.11.2002 passed by this court in the said case.

I have perused it. On perusal, it appears to me that the present case is squarely cover up by the said order dated 26.11.2002 passed by this Court in W.P.(C)NO.7378/2002. It is well settled that for consistency and uniformity in the exercise of judicial discretion similar matter requires similar treatment except when factual differences requires different treatment.

At this stage a reference may be made to the decision of the Apex Court passed rendered in V.Traders Vs. State of -

Contd... P/3

Haryana(1995 Supple.(1) Keeping in view of the above decision and discussion I am of the view that similar direction may be given to the respondents to consider the case of the present petitioner. Accordingly the respondents are directed to consider and examine the present case of the petitioner's association for regularisation or for adjustment of their services as assistant teacher in accordance with the related notification dated 21st June, 2000(Annexure-3 to the Writ petition) and other related circular applicable in this case. It is made clear that all exercise of it shall be completed within a period of 3(thre) months from the date of receipt of a certified copy of this order. The result shall be communicated to the petitioner's association as early as possible. The petitioner may obtain a certified copy of the order and place before the appropriate authority for doing the needful, in the matter in turm of the order.

With the above observation and discussion the present Writ petition stands disposed of.

No cost.

Sd/-illegible
Judge

ANNEXURE-"G"

MINUTES OF THE MEETING HELD ON 6TH JANUARY,2005 AT 10.A.M IN THE SECRETARIAT CONFERENCE ROOM ON THE DEMANDS OF THE BISHNUPRIYA MANIPURI COMMUNITY.

The meeting was attended by the representatives of various organisations of the Bishnupriya Manipuri Community and by the Govt. Officers as shown at Annexure-1.

The meeting was presided over by the Hon'ble Minister of State(Ind.) Elementary etc. Deptt. where Hon'ble Minister, P.H.E. etc.,Deptt. and Sri Manilal Goala, MLA were also present.

Initiating the discussion, Hon'ble Minister of State(Ind) Education(Elementary) etc. Deptt. welcomed the representatives of the organisations and briefed the meeting about the object of the meeting.

(1) On the matter of regularisation of the appointment of the 149 honorary teachers, it was brought to the knowledge of the Govt. that all those were engaged as Bishnupriya Manipuri Language teachers for the language subject in the three districts of Barak Valley. The commissioner & Secy. Education Deptt. pointed out that they can be regularised against sanctioned posts only, creation of new posts is banned. It was therefore decided that 149 vacant posts of Primary teachers will be converted into Bishnupriya Manipuri Language teachers post and all these 149 teachers could be regularised in those posts during the process of School Teachers recruitment. The Education Deptt. will initiate necessary action in this regard.

(2) The meeting then took up the demand on the withdrawal of cases pending against persons who participated in the Bishnupriya Manipuri Language agitation. The Hon'ble Minister of State(Ind). Education etc. Deptt. expressed the view that the cases where the Govt. can take up for withdrawal of the same will be examined with priority in consultation with the Judicial and Home Department. He also requested the representatives of the organisations present in the meeting to submit the details of the pending cases with the names of the Police Stations where the cases are pending, names of the persons involved in the cases etc. immediately to the Govt.

(3) The representatives also demanded that the Govt. should extend some financial compensation to the victims of the Language agitation who sacrificed their lives while taking part in the same. It was also mentioned that one Sudesina Sinha sacrificed her life while taking part in the language agitation the compensation should raised to Rs.5(five) lakhs. Hon'ble Minister of State(Ind.) Education etc. Assam informed that this matter may be taken up separately as the Education Deptt. can not decide on the matter.

(4) On the issue of the availability of the text books for students of the Bishnupriya Manipuri Community, it was decided that the Govt. will pursue the same policy as adopted or to be adopted in future in respect of other languages. The Hon'ble Minister, Elementary Education, Assam informed the representatives that the sentiments of the Bishnupriya Manipuri community on introduction of the Bishnupriya subjects in Higher classes needs to be examined by committee of experts as there are many far reaching consequences on this matter.

(5) On the demand for introduction of the Bishnupriya Manipuri Language in School in other districts outside the three districts of Barak Vally, it was decided that necessary particulars on the number of the students belonging to the community will be submitted by the Director, Elementary Education to the Govt. for examination of the matter.

The meeting then ended with thanks from the Chair.

Sd/-Ripun Bora.
Minister of State(Ind.).
Elementary Education, etc., Assam.

Contd.....P/3

Memo No.A(I) E.154/95/Pt.II/312-A **Dated Dispur, the 1st Feb/05.**

Copy to :-

1. The P.S.to Hon'ble Minister, P.H.E.etc. Assam, Dispur.
2. The P.S.to Hon'ble Minister, Social Welfare etc.,Assam.
3. The P.S. to Hon'ble Minister of State(INd.) Elementary Education, Assam.
4. The P.S.to Hon'ble Minister of State(INd.), Co-operation etc. Assam.
5. Sri Manilal Goala, Hon'ble MLA.
6. The P.S. to Commissioner & Secy. to the Govt. of Assam, Education Deptt.(J.B.Singh).
7. The P.S. to Commissioner & Secy. to the Govt. of Assam, Education Deptt.(P.Dutta)
8. The P.S. to Commissioner & Secy, to the Govt. of Assam, Home Deptt.
9. The Director of Elementary Education, Assam, Ghy-19.
10. The Director of SCERT, Assam, Guwahati-19.
11. The Managing Director, ASTBPP Ltd.
12. The Secretary, Board of Secondary Education, Assam.
13. Participant Bishnupriya Manipuri organisation.

By order etc.,
Sd/-illegible
01.2.05
Joint Secy. to the Govt. of Assam,
Education Department.

Annexure -"H"

GOVERNMENT OF ASSAM
OFFICE OF THE DIRECTOR OF ELEMENTARY EDUCATION,ASSAM.

NO.EIM-10/89/522 Dtd.Kahilipara, the 22nd Sept/2005.

To

The Commissioner & Secretary to the Govt. of Assam,
Education Deptt. Dispur, Guwahati-6.

Sub : Submission of particulars of honorary Bishnupriya Manipuri Language Teachers.

Ref : Govt.letter No.ELC/COP(C)805/524/10 dtd.14-9-05.

Sir,

In inviting a reference to the subject quoted above. I have the honour to submit herewith the Sub-Division wise break up of 97 nos of honorary Bishnupriya Manipuri language teachers which were submitted by the D.I. of Schools, Karimganj and Hailakandi as per Minutes of the meeting held on 6-1-05 on the demand of Bishnupriya Manipuri students Union & BMGSP as well as Hon'ble High Court COP(C) No.805/2003 arising out from W.P.(C)No.8252/2002 for regularisation of their services.

The break-up of the posts is shown as follows :

Karimganj Sub-Division :

1. R.K.Nagar Block	-	37 nos.
2. Patharkandi	-	45 ""
3. Hailakandi Sub-Divn	-	15 ""
	Total=	97 nos of posts.

Reports from the D.I. of Schools, Silchar have not yet been received regarding vacancy position of L.P. Teacher and name of working honorary Bishnupriya Manipuri Language teachers. The proposal for Silchar Sub-Division will be submitted as soon as report received from the D.I. of Schools, Silchar.

Enclosed : As above

Yours faithfully
Sd/-illegible
Director,
Elementary Education,
Assam, Kahilipara, Guwahati-19.

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ANNEXURE- "I"

GOVERNMENT OF ASSAM
DIRECTORATE OF ELEMENTARY EDUCATION, ASSAM.

Employment Notice

Applications are invited in standard form from intending Indian Citizens for filling up of 5372 vacant posts of Assistant Teachers including teachers in Missing, Rabha, Tai, Bisnupriya Manipuri, Tiwa, Nepali, Karbi and Deori, which are introduced as language subjects in provincialised Lower Primary L.P. and Junior Basic) Schools and 2078 posts of Assistant Teachers Hindi Teachers, Arabic Teachers, Science Graduate Teachers and Assamese Language Teachers in Upper Primary Schools (M.E., M.V, Sr. Basic Schools and M.E.Madrassas). Those candidates who have got Hon'ble Court"s orders to the effect that the Commissioner and Secretary to the Government of Assam or the Director of Elementary Education, Assam would consider their cases of appointment at the time of regular appointment also must apply in response to this advertisement for consideration of their appointment.

Reservation :

Following categories of candidates shall enjoy reservation on appointments shown against them :

Schedule Casts	:	7 per cent.
Schedule Tribes(Plains)	:	10 per cent.
Schedule Tribes(Hills)	:	05 per cent.
Other Backward Classes and More other Backward Classes	:	27 per cent.
Sons and Unmarried Daughters of Retired Teachers	:	10 per cent.
Disabled persons	:	03 per cent.
Ex-servicemen	:	02 per cent.

Contd.....P/2

Minimum Qualifications :

(a) Assistant Teachers :

Minimum Qualification : Higher Secondary or any other-examination of Equivalent standard having 45% marks in any one of the Higher Secondary or HSLC Examination for general categories and 40% marks for reserved categories shall be the minimum qualification for the Post of Assistant Teachers of lower Primary and Upper Primary Schools.

(b) Hindi Teacher :

HSLC Examination passed along with Hindi Visharad of Assam Rastrabhasa Prachar Samiti or Higher Secondary(HS) Examination passed with Hindi as one of the subject or equivalent thereof.

(c) Arabic Teachers :

Intermediate Examination passed under Madrassa Education Board, Assam or Higher Secondary Examination passed with Arabic as one of the subject of equivalent thereof.

(d) Language Teacher :

Higher Secondary Examination passed with certificates of Language Examination from competent authority or passed with the language at that level.

(e) Science Graduate Teacher :

A B.Sc. Degree from any recognised University.

Preference shall be given to trained candidate for any posts by awarding marks for passing Junior Basic/ Senior Basic/Normal Training/Diploma in Elementary Education(2 year Course)

Scale of Pay :

For L.P.Schools : A fixed salary of Rs.1800/P.M. until the training prescribed by the Government is successfully completed Rs.3130-60-3490-90-4030-E.B.-90-4480-120-5200-175-6600,P.M. on successful completion of the training

Contd.....P/3

For Upper Primary Schools :Rs. 3,130/-60-3490-90-1030-EB-90-4480-120-5200-175-6600/-P.M.

Age :

A candidate must be aged between 18 and 36 year as on 1.1.2005 Schedule Castes/tribes candidates shall, however, get a relaxation of 5(five) years in the upper age limit.

Last date of submission of application is : 16.1.2005.
Place of submission of application :Office of the District Elementary Education Officer, ~~o/o~~ in the concerned district.

Certificates and Testitomonials to accompany the application :

1. Mark Sheet of H.S.L.C./H.S. Examination.
2. Pass certificate of H.S.L.C./H.S.Examination.
3. Training pass certificate and marksheet.
4. Teaching experience certificate.....by Deputy Inspector of Schools in case of candidates applying for the post of L.P.School teachers and by District Elementary Education in case of Upper Primary School teachers.
5. Certificates in support of Schedule Castes/Schedule Tribes (Plants or Hills)/OBC/MOBC).
6. Candidates with disabilities will have to enclose certificate of disabilities invariably.

No other mark sheets or certificates are necessary. All mark sheets and certificates are to be attested by the candidates themselves/herself.

Interview :

Candidates will have to appear on the Interveiw Board when called for at their own cost.

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Annexure - "J"

IN THE GAUHATI HIGH COURT

(The High Court Of Assam: Nagaland: Meghalaya: Manipur: Tripura: Mizoram & Arunachal Pradesh)

CIVIL APPELLATE SIDE

W.P.(C.) NO.8546 of 2005

Sri Harikanta Sinha,
.....**Petitioner.**

-Versus-

State of Assam & Ors.
.....**Respondents.**

For petitioner : Mr. N.C.Das.
: Miss. D.Sinha.

For Respondents : S.C.Education.

W.P.(C) No.8546/05

BEFORE

THE HON'BLE MR.JUSTICE AMITAV ROY

21.12.2005

Heard Mr.N.C.Das, learned Sr.Counsel for the petitioner and Mr. Thomas, learned Standing Counsel, Education Department.

Issue notice of motion returnable on 1/2/2006.

Mr. Thomas takes notice on behalf of all the respondents. Extra copies of the petition be served on him.

Issued notice on the prayer for interim relief also returnable on the same date.

Contd.....P/2

The learned Sr.Counsel for the petitioner, in support of the prayer for the interim relief had contended, referring to the order dated 20/12/2002 passed in W.P.(C) No.8253/02 and the commitment of the Government to regularize the Bishnupriya Manipuri Language Teachers as is evidenced by the communication dated 15/3/2005, that the process initiated by the impugned employment notice needs to be stayed.

Mr.Thomas, on the other hand, has submitted that the Bishnupriya Manipuri Teachers, being bracketed as dropped teachers as comprehended in the judgment and order dated 1/9/2003 passed in Civil Rule 1571/1998, the impugned process ought not to be suspended.

Upon hearing the learned Counsels for the parties and on a consideration of the sworn statements in the petition together with the supporting documents, it is provided that the respondent authorities may continue with the process initiated by the employment notice dated 2/12/2005 but would not make appointment on the basis thereof to the Post of Assistant Teacher of Bishnupriya Manipuri Language in the District of Cachar without first regularizing the petitioners.

Sd/-illegible

Judge

ANNEXURE- "K"

GOVT. OF ASSAM.
OFFICE OF THE DIRECTOR OF ELEMENTARY EDUCATION
ASSAM, KAHILIPARA, GUWAHATI - 19.

ORDER

Read the judgment and order of the Hon'ble Gauhati High Court dtd.21.12.05 passed in WP(C) NO.8546/05 of Shri Hari Kanta Sinha -Vs- State of Assam and order dtd.6.1.2006 in Misc. Case No.31/2005, Sri Harikanta Sinha -VS-State of Assam & Others, Govt. letter No.ELC/WP(C) 8546 and Deputy Inspector of Schools, Silchar, Karimganj and Hailakandi respectively No.DIS/COP/805/2003/7516 dtd. 6/12/2005, NO.DIK/2005-06/WP(C) 8253/2002/3029 dtd. 16.8.2005 and No.DIH/43/A-1/2005/8505 dtd. 3/10/2005.

The Hon'ble High Court passed an order dtd.21.12.05 in W.P.(C) NO.8546/05 that respondent authorities may continue with the process initiated vis-a-vis the employment Notice dated 2/12/2005, but would not make appointment on the basis thereof to the posts of Assistant teachers in the district of CAchar, Karimganj and Hailakandi without first regularizing the petitioners claiming regularisation of their services.

Taking into consideration all these, the under-signed hereby directs the D.I. of Schools of Silchar, Karimganj and Hailakandi to submit within a period of one week from the receipt of this order the Finance (SIU) Department format for regularisation of the services of the Bishnupriya Manipuri language teachers with the prospective date of effect and subject to availability of vacancies and fulfilling the eligi-bility criteria prescribed for appointment of L.P.School teachers as proposed of D.I.of Schools, Silchar, Karimganj and Hailakandi respectively Vide their letters DIS/COP 805/2003/7516 Dtd.6/12/05, DIK/2005-06/W.P(C) 8253/2002/3029 Dated 16/8/05 and DIH/43/A-1/05/8505 dated 3.10.2005.

Contd.....P/2

The matter of regularisation of the Bishnupriya Manipuri teachers now working is hereby disposed of in compliance with the Hon'ble Gauhati High Court order in the Writ petition No.WP(C)8546/05.

Sd/-B.K.Das,
Director,
Elementary Education
Assam, Kahilipara, Guwahati-19.

Memo NO.ELM/13/2006/57 **Dated Kahilipara the 24. Feb/,06.**

Copy to :-

1. The Commissioner & Secretary to the Govt. of Assam, Education Department, Dispur, Guwahati-6 for information and necessary action.
2. The Standing Counsel, Education Department, Hon'ble Gauhati High Court for information.
3. The District Elementary Education Officer, Cachar/ Hailakandi/Karimganj for information and necessary action.
4. The Deputy Inspector of Schools, Silchar/Hailakandi/ Karimganj. He is requested to submit the Finance (SIU) Department format within 7 days from the receipt of the order in order to avoid further litigation.
5. Sri Hari Kanta Sinha, Advisor, Association of Bishnupriya Manipuri Language Teachers, Village-Kalinjar, P.O.- Singari, Silchar-7, Cachar for information and necessary action.

Sd/-illegible,
Director,
Elementary Education
Assam, Kahilipara, Guwahati-19.

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ANNEXURE-' L '

GOVT.OF ASSAM.
OFFICE OF THE DEPUTY INSPECTOR OF SCHOOL, HAILAKANDI.

NO.DIH/43/A-1/2005-06/1337 **Dated, Hailakandi the 16/5/2006.**

To,

The Director of Elementary Education Assam,
Kahilipara, Guwahati-19.

Sub : Submission of Finance(S.I.U.) Department format for regularisation of the services of the Bishnupriya Manipuri Language Teachers.

Ref : Your letter No.(1) Edn.13/2006/57 dtd.24/2/2006, (II) ELM.13/06/70 dtd.27 dtd.27th, March/2006.

Sir,

With reference to the above, I have the honour to submit herewith the finance S.I.U. Department format for regularisation of the services of the Bishnupriya Manipuri Language Teachers under Hailakandi District for favour of your kind information and taking necessary action.

Enclo :-

Filled up finance
S.I.U.department
Format.

Yours faithfully
Sd/-illegible
Deputy Inspector of Schools.
Hailakandi.

- 58 - ANNEXA — "M"

IN THE GAUHATI HIGH COURT

(The High Court Of Assam: Nagaland: Meghalaya: Manipur: Tripura: Mizoram & Arunachal Pradesh)

CIVIL APPELLATE SIDE

W.P.(C) NO.8546 of 2006

Sri Harikanta Sinha,
.....**Petitioner.**

-Versus-

State of Assam & Ors.
.....**Respondents.**

For petitioner : Mr. N.C.Das.
: Miss. D.Sinha.

For Respondents : S.C.Education.

W.P.(C) No.8546/06

BEFORE

THE HON'BLE MR.JUSTICE B.K.SHARMA.

29.08.2007

Heard Mr. N.C.Das, Ld. Sr.Counsel for the petitioner as well as Mr.U.K.Goswami, learned Standing Counsel, Education Department.

The petitioner is an association of the Bishnupriya Manipuri Language Teacher. The members of the said association have been working on honorary basis in different Schools since 2001. It is stated that they were appointed by the Deputy Inspector of Schools as well as by the Block Elementary Education Officer. They were so appointed without any honorarium.

Contd.....P/2

With the introduction of the Bishnupriya Manipuri Language in the Primary stage of education in 3(three) district of Barak Valley, the petitioners came to be appointed as Bishnupriya Manipuri Language Teacher without, however, any honorarium. It is the case of the petitioners that in view of the long years of service to their credit, they are entitled to regularization of their services.

The petitioners filed this Writ petition at the time when the Employment Notice dated 2.12.2005 was issued advertising the post of Assistant Teachers including the teachers in Bishnupriya Manipuri. According to the petitioners' association, its members working without honorarium should be regularized first.

Mr.U.K.Goswami, learned Counsel for the respondent has placed reliance on the decision of Jahangir Alam V State of Assam and others reported in(2003) 3 GLT 544, so as to contend that the petitioners working on honorary basis cannot claim automatic regularization. he further submits that as per the policy decision of the Government, such honorary teachers are entitled to get relaxation of age bar etc..

Mr. Das, learned Sr. Counsel for the petitioner association submits that since the petitioners were appointed by the Governmental authorities, may be honorary basis, they are entitled to get regularization of their services.

Contd.....P/3

Considering the submission made and the material on record. I dispose of the Writ petition with a direction that the respondents shall consider the case of the petitioners in accordance with law including the policy decision of the Government, about which Mr.Goswami, learned counsel representing the respondents has referred to. It will be appropriate for the members of the association to respond~~ent~~ to the Employment Notice dated 2.12.2005. In the event of offering the candidature, the respondents shall consider the same along with the policy of the age relaxation etc. in respect of the honorary teachers.

With the above direction, the Writ petition is disposed of.

Sd/-illegible
Judge